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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,661	07/09/2003	Ralf Assmann	2639	9320
7590 11/01/2005			EXAMINER	
STRIKER, STRIKER & STENBY 103 East Neck Road Huntington, NY 11743			LE, HUYEN D	
			ART UNIT	PAPER NUMBER
			3751	
DATE MAILED: 11/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/615,661	ASSMANN, RALF	
	Examiner	Art Unit	
	Huyen Le	3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/19/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 6-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as anticipated by Fleischer et al (6,719,006) or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fleischer et al (6,719,006).

The Fleischer et al reference discloses a pressure control valve comprising a valve unit 12 extruded from plastic, wherein the valve unit 12 is arranged coaxially to an actuator unit 16 and serves to control a fluid flow between a supply port 50 and a consumer port 48, and wherein fluid channels 34, 44 and a valve chamber P are formed in the valve unit 12 wherein a valve closing member 32 is disposed in the valve chamber P, and wherein the fluid channels 34, 44 and the valve chamber P are formed on an injection-molded preform 18 (col. 1, lines 52-55, col. 2, lines 47-55) that includes a flange 40.

Although Fleischer et al does not disclose the extrusion coating process used to mold the flange 40 on the perform or hydraulic 18, it appears that the valve unit 12 of Fleischer would be similar as that claimed.

Regarding claim 2, the perform 18 has a seating plate 38, wherein the seating plate is oriented at a right angle to a longitudinal axis of the valve unit 12.

Regarding claim 3, the preform 18 has at least one plane of symmetry.

Regarding claim 4, the valve closing member 32 is a sphere.

Regarding claim 5, the valve closing member 32 can be actuated by means of a slide valve 28, wherein the slide valve 28 penetrates the perform 18 in axial direction.

4. Claims 1 and 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Najmolhoda (5,921,526) or, in the alternative, under 35 U.S.C. 103(a) as obvious over Najmolhoda (5,921,526).

The Najmolhoda reference discloses a pressure control valve comprising a valve unit 10 extruded from plastic, wherein the valve unit 10 is arranged coaxially to an actuator unit 14 and serves to control a fluid flow between a supply port 72 and a consumer port 80, and wherein fluid channels 18f, 74a and a valve chamber 18e are formed in the valve unit 10 wherein a valve closing member 38 is disposed in the valve chamber 18e, and wherein the fluid channels 18f, 74a and the valve chamber 18e are formed on an injection-molded preform 18 that includes a flange 19a.

Although Najmolhoda et al does not disclose the extrusion coating process used to mold the flange 19a of housing 19 on the perform or hydraulic 18, it appears that the valve unit 12 of Najmolhoda et al would be similar to that as claimed.

Regarding claim 3, the preform 18 has at least one plane of symmetry.

Regarding claim 4, the valve closing member 38 is a sphere.

Regarding claim 5, the valve closing member 38 can be actuated by means of a slide valve 22, wherein the slide valve 22 penetrates the perform 18 in axial direction.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleischer et al (6,719,006) in view of Maier et al (5,775,355).

The Fleischer et al reference discloses a pressure control valve comprising a valve unit 12 extruded from plastic, wherein the valve unit 12 is arranged coaxially to an actuator unit 16 and serves to control a fluid flow between a supply port 50 and a consumer port 48, and wherein fluid channels 34, 44 and a valve chamber P are formed in the valve unit 12 wherein a valve closing member 32 is disposed in the valve chamber P, and wherein the fluid channels 34,44 and the valve chamber P are formed on an injection-molded preform 18 (col. 1, lines 52-55, col. 2, lines 47-55) that includes a flange 40.

Although Fleischer et al does not disclose that the flange 40 is connected to the perform or hydraulic 18 by extrusion coating, attention is directed to Maier et al

reference which teaches a control valve comprising a valve casing 8 having a flange 58 extrusion-coated thereon.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have the flange extrusion-coated on the Fleischer et al valve in view of the teaching of Maier et al reference as an alternative way of connecting the valve parts together.

7. Claims 1 and 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Najmolhoda (5,921,526) in view of Maier et al (5,775,355).

The Najmolhoda reference discloses a pressure control valve comprising a valve unit 10 extruded from plastic, wherein the valve unit 10 is arranged coaxially to an actuator unit 14 and serves to control a fluid flow between a supply port 72 and a consumer port 80, and wherein fluid channels 18f, 74a and a valve chamber 18e are formed in the valve unit 10 wherein a valve closing member 38 is disposed in the valve chamber 18e, and wherein the fluid channels 18f, 74a and the valve chamber 18e are formed on an injection-molded preform 18 that includes a flange 19a.

Although Najmolhoda does not disclose that the flange 19a (or housing 19) is connected to the perform or hydraulic 18 by extrusion coating, attention is directed to Maier et al reference which teaches a control valve comprising a valve casing 8 having a flange 58 extrusion-coated thereon.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have the flange extrusion-coated on the Najmolhoda

preform or bobbin in view of the teaching of Maier et al reference as an alternative way of connecting the valve parts together.

Response to Arguments

8. Applicant's arguments filed on 5/19/2005 and 7/28/2005 with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Le whose telephone number is 571-272-4890. The examiner can normally be reached on Monday-Friday from 9:00 am to 5:00 pm.

Art Unit: 3751

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on 571-272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Huyen Le
Examiner
Art Unit 3751

October 17, 2005


JUSTINE R. YU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

10/27/05